

DAVID A. THOMPSON  
STECKLOW & THOMPSON

217 CENTRE STREET, 6TH FLOOR  
NEW YORK, NEW YORK 10013  
TEL: (212) 566-8000  
FAX: (212) 202-4952  
DAVE@SCTLAW.NYC

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BY ECF

Hon. Laura Taylor Swain  
United States District Judge  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St.  
New York, NY 10007-1312

RECEIVED

Re: Pluma v. Soreco, et al., 14-cv-09969 (LTS)

Dear Honorable Judge Swain:

I write on behalf of the plaintiff in the above-captioned case. There is an initial conference in this matter scheduled on August 7, 2015 at 10:45 a.m. I am writing to request an adjournment of the conference *sine die*, for the reasons stated below.

Defendants Carl Soreco, Christopher Vega, Meghan O'Leary, Steven Anger, Thomas Purtell, and James Hall were timely served by the undersigned on April 16, 2015. These defendants have not answered or appeared.

This case was filed as a related case to Pluma v. The City of New York, et al. 13-cv-2017 (LAP). The case seemingly was not treated as a related case by the clerk's office, however, because it is my understanding that a related case is normally assigned to the same judge. In the related Pluma v. The City of New York case, applications have been made before the Court to amend the complaint to add several of these same defendants to the pleading. Judge Preska has also extended the time for the Office of Corporation Counsel (which, upon information and belief, either already is, or will be in the future, representing these officers) to respond to the pleadings on behalf of individual officers. It currently appears that the Office of Corporation Counsel will move for dismissal on the pleadings and video evidence, on behalf of all defendants on the same date as the presently-scheduled conference in this matter.

Based on the foregoing, it appears likely that, after the anticipated motion in Pluma v. The City of New York is entertained and decided, the defendants in Pluma v. Soreco will either

have been added as defendants in the Pluma v. The City of New York, or it will have been determined that a cause of action cannot be stated against them.

Accordingly, I respectfully request that the Court adjourn the conference *sine die*, for the conservation of this Court's valuable time, and to avoid potential conflict with rulings that have been made in Pluma v. The City of New York. I will keep the Court informed of any developments in Pluma v. The City of New York that may ripen the need either to proceed with Pluma v. Soreco as filed, to dismiss this case, or to formally consolidate this case with Pluma v. The City of New York.

Finally, I would like to inform the Court that the reason that this case, Pluma v. Soreco, was filed separately, was to preserve claims against the defendants named herein from the statute of limitations, when a fully-briefed motion to amend the pleadings (before a different judge than currently holds the case) remained undecided for several months. The intention of the undersigned was never to multiply proceedings in this matter.

Sincerely,

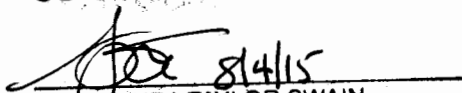


David A. Thompson

Cc: Hon. Loretta A. Preska  
500 Pearl St.  
New York, NY 10007

This case will be  
transferred to Judge Preska.  
The August 7, 2015,  
conference is adjourned  
sine die.

SO ORDERED:



HON. LAURA TAYLOR SWAIN  
UNITED STATES DISTRICT JUDGE